Filed: September 17, 2003 Group Art Unit: 3733

Examiner: Swiger III, James L Docket No.: 101896-208 (DEP5150)

## **AMENDMENTS TO THE CLAIMS**

1. (Currently Amended) A guide device for use with a spinal plate having at least one pair of screw bores formed therein, the guide device comprising:

an elongate shaft having a proximal end and a distal end;

a guide member coupled to the distal end of the elongate shaft and including first and second lumens extending therethrough in fixed relation to one another, the first and second lumens having central axes that extend in a plane that is parallel to opposed superior and inferior surfaces of the guide member; and

first and second opposed alignment tabs extending distally from opposed outer edges of opposed ends of the opposed superior and inferior surfaces of the guide member such that the first and second lumens are positioned between the first and second alignment tabs, the first and second opposed alignment tabs being adapted to interact with a spinal plate to position the guide member with respect to the spinal plate such that the first and second lumens in the guide member are aligned with a pair of corresponding screw bores formed in the spinal plate.

- 2. (Canceled)
- 3. (Previously Presented) The guide device of claim 1, wherein the first and second opposed alignment tabs are adapted to non-fixedly interact with a spinal plate to align the guide member with the spinal plate.
- 4-6. (Canceled).
- 7. (Previously Presented) The guide device of claim 1, further comprising at least one protrusion that extends distally from the guide member and that is adapted to be disposed within a corresponding bore formed in the spinal plate.
- 8-10. (Canceled).

Filed: September 17, 2003 Group Art Unit: 3733

Examiner: Swiger III, James L

Docket No.: 101896-208 (DEP5150)

11. (Withdrawn) The guide device of claim 1, wherein the guide member has a substantially

rectangular, elongate shape and the first and second lumens extend therethrough.

12. (Withdrawn) The guide device of claim 11, wherein the guide member includes opposed

superior and inferior sides and opposed transverse sidessurfaces extending between the opposed

superior and inferior surfaces, the transverse sides surfaces having a width that is less than a width

of the superior and inferior sidessurfaces.

13-15. (Canceled).

16. (Original) The guide device of claim 1, wherein a distal surface of the guide member has a

shape that conforms to the shape of a spinal plate.

17. (Original) The guide device of claim 1, wherein the first and second lumens are positioned

at an angle with respect to one another.

18-24. (Canceled).

25. (Previously Presented) The guide device of claim 1, wherein the first and second alignment

tabs are adapted to loosely interact with a spinal plate such that the guide member can pivot with

respect to the spinal plate.

26. (Withdrawn) The guide device of claim 1, wherein the first and second lumens have an

adjustable length.

27. (Original) The guide device of claim 1, wherein the proximal end on the elongate shaft is

positioned at an angle with respect to a distal portion of the elongate shaft.

4

Filed: September 17, 2003 Group Art Unit: 3733

Examiner: Swiger III, James L Docket No.: 101896-208 (DEP5150)

28. (Currently Amended) A guide device for use with a spinal plate having at least one screw bore formed therein, the guide device comprising:

an elongate shaft having a proximal end and a distal end; and

a guide member coupled to the distal end of the elongate shaft and including first and second lumens extending therethrough, the lumens having central axes that extend in a plane that is parallel to opposed superior and inferior surfaces of the guide member; and

first and second opposed alignment tabs extending distally from the superior and inferior surfaces opposed outer edges of opposed ends of the guide member such that at least one lumen is positioned between the first and second alignment tabs, the first and second opposed alignment tabs being adapted to non-fixedly interact with an edge of a spinal plate without engaging the spinal plate to position the guide member with respect to the spinal plate such that the first and second lumens in the guide member are aligned with at least one corresponding screw bore formed in the spinal plate.

29-51. (Canceled).

52. (Currently Amended) A guide device for use with a spinal plate having at least one pair of screw bores formed therein, the guide device comprising:

an elongate shaft having a proximal end and a distal end;

a guide member coupled to the distal end of the elongate shaft and including first and second lumens extending therethrough in fixed relation to one another, the lumens having central axes that extend in a plane that is parallel to opposed superior and inferior surfaces of the guide member;

at least one alignment tab extending distally from at least one of the superior and inferior surfaces of the guide member, the at least one alignment tab being adapted to interact with a spinal plate to position the guide member with respect to the spinal plate such that the first and second lumens in the guide member are aligned with a pair of corresponding screw bores formed in the

Filed: September 17, 2003 Group Art Unit: 3733

Examiner: Swiger III, James L Docket No.: 101896-208 (DEP5150)

spinal plate; and

at least one protrusion that extends distally from the guide member and that is adapted to be

disposed within a corresponding bore formed in the spinal plate.

53. (Currently Amended) The guide device of claim 52, wherein the at least one alignment tab

comprises first and second alignment tabs extending distally from opposed outer edges of opposed

ends of the guide memberthe superior and inferior surfaces.

54. (Previously Presented) The guide device of claim 52, wherein the at least one tab is adapted

to non-fixedly interact with a spinal plate to align the guide member with the spinal plate.

55. (Previously Presented) The guide device of claim 52, wherein the at least one alignment tab

is adapted to prevent rotation between the guide member and a spinal plate when the guide member

is mated to a spinal plate.

56. (Previously Presented) The guide device of claim 55, wherein the at least one alignment tab

comprises an oval protrusion that extends distally from a distal end of the guide member.

57. (Previously Presented) The guide device of claim 52, wherein a distal surface of the guide

member has a shape that conforms to the shape of a spinal plate.

58. (Previously Presented) The guide device of claim 52, wherein the first and second lumens

are positioned at an angle with respect to one another.

59-60. (Cancelled).

61. (Previously Presented) The guide device of claim 52, wherein the at least one alignment tab

is adapted to loosely interact with a spinal plate such that the guide member can pivot with respect

to the spinal plate.

6

Filed: September 17, 2003 Group Art Unit: 3733

Examiner: Swiger III, James L

Docket No.: 101896-208 (DEP5150)

62. (Previously Presented) The guide device of claim 52, wherein the proximal end on the elongate shaft is positioned at an angle with respect to a distal portion of the elongate shaft.

63. (Cancelled).